

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKJOHN F. DRISCOLL, AS PRESIDENT OF THE  
CAPTAINS ENDOWMENT ASSOCIATION, INC., ET AL.  
Plaintiff(s), Petitioner(s)

ATTORNEY: Greenberg, Burzichelli, Greenberg, P.C.

Index No.: 07 CV 10359

DATE OF FILING: 11/15/2007

against

CITY OF NEW YORK, ET AL.

Defendant(s), Respondent(s)

## AFFIDAVIT OF SERVICE

STATE OF N.Y.: COUNTY OF NASSAU: ss:

I, Michael Weiner, being duly sworn according to law upon my oath, depose and say, that deponent is not a party to this action, is over 18 years of age and resides in Oceanside, NY.

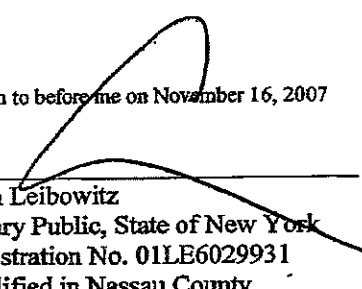
That on November 15, 2007 at 3:55 PM at 100 Church Street, New York, NY 10007, deponent served the Summons, Complaint for a Declaratory Judgment and Injunctive Relief, Notice of Motion for a Preliminary Injunction, Affidavit in Support of Motion for Preliminary Injunction, Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Injunction, and Plaintiffs Rule 7.1 Disclosure Statement upon City of New York, (Defendant/Respondent) herein known as Recipient.

Said service was effected in the following manner;

By delivering to and leaving a true copy of each with Tamekia Mendesgammon a person who is known to be the authorized agent of said government agency, and who is authorized by said government agency to receive said documents.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows: Sex: Female Skin: Black Hair: Black Age(Approx): 31 Height(Approx): 5' 7" Weight(Approx): 130-140 lbs  
Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
Michael Weiner, License No. 1145455  
Sworn to before me on November 16, 2007

Alan Leibowitz  
Notary Public, State of New York  
Registration No. 01LE6029931  
Qualified in Nassau County  
Commission Expires August 30, 2009

Ultimate Process Service (516) 333-3447  
Case No.: 85697